



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-6
 Internet: <http://www.fcc.gov>
 TTY: 1-888-835-1

FCC 02-263

Released: September 26, 2002

**COMMISSION SEEKS PUBLIC COMMENT IN
 2002 BIENNIAL REVIEW OF TELECOMMUNICATIONS REGULATIONS
 WITHIN THE PURVIEW OF THE
 INTERNATIONAL BUREAU¹**

IB Docket No. 02-309

Comment Date: October 18, 2002

Reply Comment Date: November 4, 2002

The FCC is in the process of conducting its comprehensive 2002 biennial review of telecommunications regulations pursuant to section 11 of the Communications Act of 1934, as amended, 47 U.S.C. § 161. This section requires the Commission (1) to review biennially its regulations "that apply to the operations or activities of any provider of telecommunications service," and (2) to "determine whether any such regulation is no longer necessary in the public interest as the result of meaningful economic competition between the providers of such service." The Commission is directed to repeal or modify any such regulations that it finds are no longer in the public interest.

Pursuant to section 1.430 of the Commission's rules, 47 C.F.R. § 1.430, we seek suggestions from the public as to what rules should be modified or repealed as part of the 2002 biennial review.² The Commission also encourages parties to comment on or recommend changes to rules that might enable the Commission to operate more efficiently and effectively. Submissions by the public should identify with as much specificity as possible the rule or rules that should be modified or repealed, and why the regulations should be modified or repealed. A list of the rules within purview of the International Bureau is attached.

¹ A version of this Public Notice with some non-substantive differences was previously released as DA 02-2382. The docket number and comment dates remain the same.

² On July 25, 2002, the Cellular Telecommunications & Internet Association (CTIA) filed a petition for rulemaking requesting that the Commission review and repeal a number of regulations applicable to commercial mobile radio service (CMRS) carriers pursuant to section 11 of the Act. The petition requests that the Commission review, among other regulations, certain rules contained in Parts 43 and 63 which are administered by the International Bureau. We will treat the CTIA petition as a comment in this proceeding and place it in the record for IB Docket 02-309.

When the Commission undertook the first Biennial Regulatory Review of its regulations in 1998, it broadened its review to apply to the rules of all Offices and Bureaus in the Commission, rather than just those applying to telecommunications service providers and broadcast ownership. The Commission did not limit its review to whether meaningful economic competition alone justified changes, but instead considered any justification to inotify or eliminate a rule which would serve the public interest. Our biennial reviews, thus, have gone beyond the minimal statutory requirements and we expect to continue this practice in the 2002 biennial review.

We note that the Commission has adopted and released a separate Notice of Proposed Rulemaking with respect to the broadcast ownership rules pursuant to section 202(h) of the Telecommunications Act of 1996 (MB Docket 02-277). Accordingly, parties should file comments on the Commission's broadcast ownership rules in that proceeding, and not in response to this public notice.

In order to facilitate review of all comments, the cover page should denote that it pertains to the Biennial Review 2002, and should include the following docket number and caption: **IB Docket No. 02-309 – Biennial Review 2002 Comments.** Interested parties may file comments by **October 18, 2002** and reply comments by **November 4, 2002**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents*, 63 Fed. Reg. 24121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, **SW**, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

In addition, one copy of each pleading **must** be sent to the Commission's duplicating contractor, Qualex International, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; e-mail: qualexint@aol.com; facsimile: (202) 863-2898; phone: (202) 863-2893.

Comments in this proceeding will be available on ECFS. They will also be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals 11, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. They may also be purchased from the Commission's duplicating contractor, Qualex International, Portals 11, 445 12th Street, SW, Room CY-8402, Washington, DC, 20554. telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

Action by the Commission on September 26, 2002; Chairman Powell; Commissioners Abernathy, Copps and Martin.

For further information, please contact David Krech, International Bureau, Telephone 202-418-7443; e-mail dkrech@fcc.gov.

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RULES WITHIN THE PURVIEW OF THE INTERNATIONAL BUREAU

Part I – Practice and Procedure – In addition to procedural rules of general applicability to all Commission licensees, certain rules within Part I explicitly address international telecommunications service providers, including submarine cable landing licenses.

Part 23 – International Fixed Public Radio Communication Services – Contains rules applicable to international terrestrial fixed communications systems, including general licensing and application filing requirements, technical standards, and operations.

Part 25 – Satellite Communications – Contains rules applicable to general licensing and application filing requirements, technical standards, and operations for satellite communications, including direct broadcast satellite service.

Part 43 – Reports of Communication Common Carriers and Certain Affiliates – Contains rules requiring certain reports by common carriers, including reports regarding different facets of international telecommunications.

Part 63 – Extension of Lines, and Discontinuance, Reduction, Outage and Impairment of Service by Common Carriers; and Grants of Recognized Private Operating Agency Status – Contains rules applicable to common carriers, including application filing requirements for international section 214 authorizations.

Part 64 – Miscellaneous Rules Relating to Common Carriers – Subpart J contains rules regarding the Commission's settlements policy.

Part 73 – Radio Broadcast Services – Subpart F contains rules applicable to international broadcast stations.